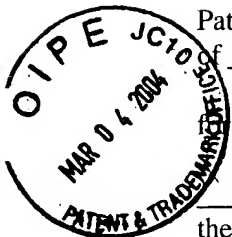


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Patent application

Inventor(s)

Title of invention

the specification of which is being transmitted herewith

OR

In re application of: Dean L Kamen et al.

Application No.: 10/617,598

Group No.: 3611

Filed: July 11, 2003

Examiner: Not yet assigned

For: **Control of a Transporter Based on Attitude**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

(Information Disclosure Statement--page 1 of 22)

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10*

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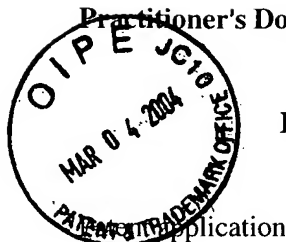
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Alexander J. Smolenski, Jr., Esq.

Date: March 2, 2004

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"Since the filing of correspondence under section 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable C.F.R.e, requests for waiver of this requirement will *not* be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.



Practitioner's Docket No. 1062/D77 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application
of _____

Inventor(s)

for _____

Title of invention

OR

In re application of: Dean L. Kamen et al.

Application No.: 10/617,598

Group No.: 3611

Filed: July 11, 2003

Examiner: Not yet assigned

For: **Control of a Transporter Based on Attitude**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
WITHIN THREE MONTHS OF FILING OR
BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. SECTION 1.97(b))

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Office.

Date: March 2, 2004

Signature


Alexander J. Smolenski, Jr., Esq.

NOTE: "An information disclosure statement shall be considered by the Office if filed by the applicant: (1) within three months of the filing date of a national application; (2) within three months of the date of entry of the national stage as set forth in section 1.491 in an international application; or (3) before the mailing date of a first Office action on the merits, whichever event occurs last." 37 C.F.R. section 1.97(b).

NOTE: The "filing date of a national application" under 37 C.F.R. section 1.97(b) has two possible meanings. Where the filing is a direct one to the United States Patent & Trademark office, the filing is defined in 37 C.F.R. section 1.53(b) as "the date on which: (1) A specification containing a description pursuant to section 1.71 and at least one claim pursuant to section 1.75; and (2) any drawing required by section 1.81(a), are filed in the Patent and Trademark Office in the name of the actual inventor or inventors as required by section 1.41." 37 C.F.R. section 1.97(b)(1). On the other hand, an international application that enters the national stage occurs when the applicant has filed the documents and fees required by 35 U.S.C. section 371(c) within the periods set forth in section 1.494 or section 1.495. 35 U.S.C. section 371(c) requires the filing of the following: (1) the basic national fee; (2) a copy of the international application, unless already sent by the International Bureau, and optionally an English translation if filed in another language; and, also optionally (3) amendments under PCT Article 19, with a translation into English if made in another language; (4) an oath or declaration; and (5) a translation into English of any annexes to the international preliminary examination report, if such annexes were made in another language. The optional items must be submitted later, with surcharges. 37 C.F.R. section 1.97(b)(2).

IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING INFORMATION DISCLOSURE STATEMENT

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. section 1.97(b).

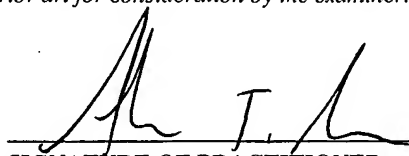
NOTE: "No certification or fee is due when the filing is made within the above time period. It is advisable to ensure that no Office action has been mailed if the disclosure statement is delayed until after three months from filing."

NOTE: "An information disclosure statement will be considered to have been filed on the day it was received in the Office, or on an earlier date of a mailing if accompanied by a properly executed certificate of mailing under 37 C.F.R. 1.8, or Express Mail certificate under 37 C.F.R. 1.10. An office action is mailed on the date indicated in the Office action." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

NOTE: "The term 'national application' includes continuing applications (continuations, divisions, continuations-in-part) so three-months will be measured from the actual filing date of an application as opposed [sic] to the effective date of a continuing application." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

NOTE: "An action on the merits means an action which treats the patentability of the claims in an application, as opposed to only formal or procedural requirements. An action on the merits would, for example, contain a rejection or indication of allowability of a claim or claims rather than just a restriction requirement (37 C.F.R. section 1.142) or just a requirement for additional fees to have a claim considered (37 C.F.R. section 1.16(d)). Thus, if an application was filed on Jan. 1 and the first Office action on the merits was not mailed until six months later on July 1, the examiner would be required to consider any proper information disclosure statement filed prior to July 1." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

WARNING: "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 C.F.R. section 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63).



SIGNATURE OF PRACTITIONER

Reg. No. 47,953

Alexander J. Smolenski, Jr., Esq.

(type or print name of practitioner)

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125 Summer Street, 11th Floor

P.O. Address

Customer No.: 002101

Boston, MA 02110

1062/D77 298015

NOTE: "An information disclosure statement shall be considered by the Office if filed by the applicant:

- (1) Within three months of the filing date of a national application;
- (2) Within three months of the date of entry of the national stage as set forth in section 1.491 in an international application; or
- (3) Before the mailing date of a first Office action on the merits, whichever event occurs last." 37 C.F.R. section 1.97(b).

NOTE: "Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section." 37 C.F.R. section 1.56(a).

"Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) each inventor named in the application;
- (2) each attorney or agent who prepares or prosecutes the application; and
- (3) every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application." 37 C.F.R. section 1.56(c).

NOTE: The "duty as described in section 1.56 will be met so long as the information in question was cited by the Office or submitted to the Office in the manner prescribed by sections 1.97(b) - (d) and 1.98 before issuance of the patent." Notice of January 9, 1992, 1135 O.G. 13-25 at 17.

WARNING: "No information disclosure statement may be filed in a provisional application." 37 C.F.R. section 1.51(b).

List of Sections Forming Part of This Information Disclosure Statement

The following sections are being submitted for this Information Disclosure Statement:

(check sections forming a part of this statement: disC.F.R.d unused sections and number pages consecutively)

1. ☒ Preliminary Statements
2. ☒ Forms PTO/SB/08A and 08B (substitute for Form PTO-1449)
3. ☐ Statement as to Information Not Found in Patents or Publications
4. ☐ Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted
5. ☐ Cumulative Patents or Publications
6. ☒ Copies of Listed Information Items Accompanying This Statement
7. ☐ Concise Explanation of Non-English Language Listed Information Items
 - 7A. ☐ JEPO Search Report
 - 7B. ☒ English Language Version of EPO Search Report
8. ☐ Translation(s) of Non-English Language Documents
9. ☐ Concise Explanation of English Language Listed Information Items (Optional)
10. ☒ Identification of Person(s) Making This Information Disclosure Statement

(complete the following, if appropriate)

Sections _____, respectively, have been continued on ADDED PAGE(S).

NOTE : "Once the minimum requirements are met, the examiner has an obligation to consider the information." Notice of April 20, 1992 (1138 O.G. 37-41, 37).

Section 1. Preliminary statements

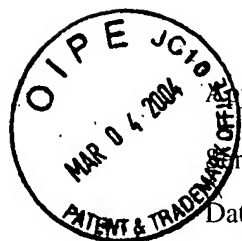
Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. section 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

SECTION 2. FORMS PTO/SB/08A and 08B (formerly Form PTO-1449)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicants: Dean L. Kamen, et al. Attorney Docket: 1062/D77
 Serial No: 10/617,598 Art Group Unit: 3611
 Date Filed: July 11, 2003 Examiner Name: Not yet assigned
 Invention: **Control of a Transporter Based on Attitude**

**LIST OF PATENTS AND PUBLICATIONS FOR
 APPLICANT'S INFORMATION DISCLOSURE STATEMENT**

Ref. No.	U.S. Patent No.	Inventor	Issue Date	See Sec. 1	Exam. Init.
AA	584,127	Draullette et al.	June 8, 1897		
AB	849,270	Schafer et al.	Apr. 2, 1907		
AC	1,739,716	Fisher	Dec. 17, 1929		
AD	2,742,973	Johannesen, H.	Apr. 24, 1956		
AE	3,145,797	Taylor	Aug. 25, 1964		
AF	3,260,324	Suarez	July 12, 1966		
AG	3,283,398	Andren	Nov. 8, 1966		
AH	3,374,845	Selwyn, D.	Mar. 26, 1968		
AI	3,399,742	Malick	Sept. 3, 1968	*	
AJ	3,446,304	Alimanestiano	May 1969		
AK	3,450,219	Fleming, J.	June 17, 1969		
AL	3,515,401	Gross, E.	June 2, 1970		
AM	3,580,344	Floyd	May 25, 1971		
AN	3,596,298	Durst, Jr.	Aug. 3, 1971		
AO	3,724,874	Simpson	Apr. 1973		
AP	3,860,264	Douglas et al.	Jan. 14, 195		
AQ	3,872,945	Hickman et al.	Mar. 25, 1975		

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AR	3,952,822	Udden et al.	Apr. 27, 1976		
AS	3,967,862	Hunter et al.	July 1976		
AT	4,018,440	Deutsch	Apr. 19, 1977		
AU	4,062,558	Wasserman	Dec. 13, 1977		
AV	4,076,270	Winchell	Feb. 28, 1978		
AW	4,088,199	Trautwein	May 9, 1978		
AX	4,094,372	Notter	June 13, 1978		
AY	4,109,741	Gabriel	Aug. 29, 1978		
AZ	4,111,445	Haibeck	Sept. 5, 1978		
BA	4,151,892	Francken	May 1, 1979	*	
BB	4,222,449	Feliz	Sept. 16, 1980		
BC	4,264,082	Fouchey, Jr.	Apr. 28, 1981		
BD	4,266,627	Lauber	May 12, 1981		
BE	4,293,052	Daswick et al.	Oct. 6, 1981		
BF	4,325,565	Winchell	Apr. 20, 1982		
BG	4,354,569	Eichholz	Oct. 19, 1982		
BH	4,363,493	Veneklasen	Dec. 14, 1982		
BI	4,373,600	Buschbom et al.	Feb. 15, 1983		
BJ	4,375,840	Campbell	Mar. 8, 1983		
BK	4,510,956	King	Apr. 16, 1985		
BL	4,560,022	Kassai	Dec. 24, 1985		
BM	4,566,707	Nitzberg	Jan. 28, 1986		
BN	4,570,078	Yashima et al.	Feb. 11, 1986		
BO	4,571,844	Komasaku et al.	Feb. 25, 1986		
BP	4,624,469	Bourne, Jr.	Nov. 25, 1986		
BQ	4,645,230	Hammons	Feb. 1987		
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BS	4,685,693	Vadjunec	Aug. 11, 1987		
BT	4,709,772	Brunet	Dec. 1, 1987		
BU	4,716,980	Butler	Jan. 5, 1988		
BV	4,740,001	Torleumke	Apr. 26, 1988		
BW	4,746,132	Eagan	May 24, 1988		
BX	4,770,410	Brown	Sept. 13, 1988		
BY	4,786,069	Tang	Nov. 22, 1988		
BZ	4,790,400	Sheeter	Dec. 13, 1988		
CA	4,790,548	Decelles et al.	Dec. 13, 1988		
CB	4,794,999	Hester	Jan. 3, 1989		
CC	4,798,255	Wu	Jan. 17, 1989		
CD	4,802,542	Houston et al.	Feb. 7, 1989		
CE	4,809,804	Houston et al.	Mar. 7, 1989		
CF	4,834,200	Kajita	May 30, 1989		
CG	4,863,182	Chern	Sept. 5, 1989		
CH	4,867,188	Reid	Sept. 19, 1989		
CI	4,869,279	Hedges	Sept. 26, 1989		
CJ	4,874,055	Beer	Oct. 17, 1989		
CK	4,890,853	Olson	Jan. 2, 1990		
CL	4,919,225	Sturges	Apr. 24, 1990		
CM	4,953,851	Sherlock et al.	Sept. 4, 1990		
CN	4,984,754	Yarrington	Jan. 15, 1991		
CO	4,985,947	Ethridge	Jan. 22, 1991		
CP	4,998,596	Miksitz	Mar. 12, 1991		
CQ	5,002,295	Lin	Mar. 26, 1991		
CR	5,011,170	Forbes et al.	Apr. 1991		

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CT	5,052,237	Reimann	Oct. 1, 1991		
CU	5,064,209	Kurschat	Nov. 1991		
CV	5,111,899	Reimann	May 12, 1992		
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DF	5,314,034	Chittal	May 24, 1994		
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DN	5,701,965	Kamen et al.	Dec. 30, 1997		
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DS	5,794,730	Kamen	Aug. 18, 1998	*	
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DU	5,899,284	Reimers et al.	May 4, 1999	*	
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EN ✓	DE 2 048 593	Deres Development	May 6, 1971		
EO ✓	DE 298 08 091 U1	Brecht	Oct. 10, 1998		
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EQ ✓	DE 31 28 112 A1	Heid	Feb. 3, 1983		
ER ✓	DE 32 42 880 A1	Toselli	June 23, 1983		
ES ✓	DE 3411489 A1	Takamiya et al.	Oct. 10, 1984		
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EU ✓	DE 44 08 775	Crown Gabelstapler GMBH	Sep. 21, 1995		
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EX ✓	EP 0 537 698 A1	Toselli	Apr. 21, 1993		
EY ✓	EP 0 551 986 A	Stanley Electric Co. Ltd.	Oct. 16, 2001	*	
EZ ✓	EP 0 109 927	von Rohr	July 4, 1984		
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FG ✓	JP 61-31685		Feb. 26, 1986		

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FH	JP 4-201793	Furukawa (with translation)	July 22, 1992	*	
FI	JP 2-190277	Toyoda (translation)	July 26, 1990		
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FK	JP 5-213240	Mitsubishi (translation)	Aug. 24, 1993		
FL	JP 0255580	Takahashi (with abstract)	Dec. 17, 1985		
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FN	JP 57-87766	Iguchi (with abstract)	June 1982		
FO	JP 52-44933	Shimizu (with abstract)	Oct. 1975		
FP	JP 63-305082	Santo (with abstract and translation)	Dec. 1988		
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FT	JP 6-105415	Suzuki	December 21, 1994	*	
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FV	UK 1213930	Fleming	Nov. 25, 1970		
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FY	WO 96/23478	Kamen et al.	Aug. 8, 1996		
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GC	0663 313	Fujii et al.	July 19, 1995	*	
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GD	✓	Kawaji, S., <i>Stabilization of Unicycle Using Spinning Motion</i> , <u>Denki Gakkai Ronbushi, D</u> , Vol. 107, Issue 1, Japan (1987), pp. 1-22			
GE	✓	Schoonwinkel, A., <i>Design and Test of a Computer-Stabilized Unicycle</i> , Stanford University (1988), UMI Dissertation Services			
GF	✓	Vos, D., <i>Dynamics and Nonlinear Adaptive Control of an Autonomous Unicycle</i> , Massachusetts Institute of Technology, 1989			
GG	✓	Vos, D., <i>Nonlinear Control of an Autonomous Unicycle Robot: Practical Issues</i> , Massachusetts Institute of Technology, 1992			
GH	✓	Koyanagi et al., <i>A Wheeled Inverse Pendulum Type Self-Contained Mobile Robot and its Posture Control and Vehicle Control</i> , <u>The Society of Instrument and Control Engineers</u> , Special issue of the 31 st SICE Annual Conference, Japan 1992, pp. 13-16.			
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GJ		Koyanagi et al., <i>A Wheeled Inverse Pendulum Type Self-Contained Mobile Robot and its Two Dimensional Trajectory Control</i> , <u>Proceeding of the Second International Symposium on Measurement and Control in Robotics</u> , Japan 1992, pp. 891-898.			
GK	✓	Watson Industries, Inc., Vertical Reference Manual ADS-C132-1A, 1992, pp. 3-4			
GL		News article <i>Amazing Wheelchair Goes Up and Down Stairs</i>			
GM	✓	Osaka et al., <i>Stabilization of unicycle</i> , <i>Systems and Control</i> , Vol. 25, No. 3, Japan 1981, pp. 159-166 (Abstract Only)			

Ref No.	Foreign Patent No.	Applicant	Publication Date	See Sec. 1	Exam. Init.
GN		Roy et al., <i>Five-Wheel Unicycle System</i> , <u>Medical & Biological Engineering & Computing</u> , Vol. 23, No. 6, United Kingdom 1985, pp. 593-596			
GO		Kawaji, S., <i>Stabilization of Unicycle Using Spinning Motion</i> , <u>Denki Gakkai Ronbushi, D</u> , Vol. 107, Issue 1, Japan 1987, pp. 21-28 (Abstract Only)			
GP		Schoonwinkel, A., <i>Design and Test of a Computer-Stabilized Unicycle</i> , <u>Dissertation Abstracts International</u> , Vol. 49/03-B, Stanford University 1988, pp. 890-1294 (Abstract only)			
GQ		Vos et al., <i>Dynamics and Nonlinear Adaptive Control of an Autonomous Unicycle - Theory and Experiment</i> , <u>American Institute of Aeronautics and Astronautics</u> , A90-26772 10-39, Washington, D.C. 1990, pp. 487-494 (Abstract only)			
GR		TECKNICO'S Home Page, <i>Those Amazing Flying Machines</i> , http://www.swiftsite.com/technico			
GS		<u>Stew's Hovercraft Page</u> , http://www.stewcam.com/hovercraft.html			
GT		Kanoh, <i>Adaptive Control of Inverted Pendulum</i> , <u>Computrol</u> , vol. 2, (1983), pp. 69-75.			
GU		Yamafuji, <i>A Proposal for Modular-Structured Mobile Robots for Work that Principally Involve a Vehicle with Two Parallel Wheels</i> , <u>Automation Technology</u> , vol. 20, pp. 113-118 (1988).			
GV		Yamafuji & Kawamura, <i>Study of Postural and Driving Control of Coaxial Bicycle</i> , <u>Paper Read at Meeting of Japan Society of Mechanical Engineering (Series C)</u> , vol. 54, no. 501, (May, 1988), pp. 1114-21			
GW		Yamafuji et al., <i>Synchronous Steering Control of a Parallel Bicycle</i> , <u>Paper Read at Meeting of Japan Society of Mechanical Engineering (Series C)</u> , vol. 55, no. 513, (May, 1989), pp. 1229-34.			

Ref No.	Foreign Patent No.	Applicant	Publication Date	See Sec. 1	Exam. Init.
GX		Momoi & Yamafuji, <i>Motion Control of the Parallel Bicycle-Type Mobile Robot Composed of a Triple Inverted Pendulum</i> , Paper Read at Meeting of Japan Society of Mechanical Engineering (Series C), vol. 57, no. 541, (Sep., 1991), pp. 154-159			
GY		Popular Science, November 2002, pp. 52-53 a copy off of "http://www.popsci/auto/article/0,12543,384518-2,00.html.		*	
GZ		Umea Institute of Design Degree Show 2002, Car Design News, http://www.cadesugbbews,cin/features/2002/020804umea-show/		*	
HA		International Search Report of 26 November 2003		*	

Examiner Signature: _____

Date Considered: _____

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation *if not* in conformance and not considered. Include copy of this form with next communication to applicant.

Section 6. Copies of Listed Information Items Accompanying This Statement

NOTE: 37 C.F.R. section 1.98(a)(2) requires that any information disclosure statement filed under section 1.97 shall include: "A legible copy of: (1) Each U.S. and foreign patent; (ii) Each publication or that portion which caused it to be listed; and (iii) All other information or that portion which caused it to be listed, except that no copy of a U.S. patent application need be included . . ."

NOTE: The wording in section 1.98(a)(2)(iii) makes it clear that the requirement to submit a copy of each item of information listed in an information disclosure statement does not apply to the citation of a U.S. patent application. Notice of January 9, 1992, 1135 O.G. 13-25, at 14.

Legible copies of all items listed in Forms PTO/SB/08A and 08B (substitute for Form PTO-1449) accompany this information statement.

(complete the following, if applicable)

☒ Exception(s) to above:

☐ Items in prior application, from which an earlier filing date is claimed for this application, as identified in Section 4.

☐ Cumulative patents or publications identified in Section 5.

U.S. patent citations are not included pursuant to 37 CFR 1.98 9(a)(2)(i) and 37 CFR 1.491(b), in which the USPTO waived the requirement for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC § 371 after June 30, 2003.

Section 7A. Concise Explanation of Non-English Language Listed Information Items—EPO Search Report

The relevance with respect to the following citations listed on Forms PTO/SB/08A and 08B (substitute for PTO-1449):

is submitted on the basis of the accompanying:

(check the appropriate item)

☒ EPO search report that is in the English language,

☐ EPO search report that is not in the English language and that is accompanied also by an English language version of the EPO search report,

that issued on the corresponding European patent application.

Section 10. Identification of Person(s) Making This Information Disclosure Statement

The person making this certification is

(check each applicable item)

- (a) ☐ the inventor(s) who signs below

SIGNATURE OF INVENTOR

(type name of inventor who is signing)

- (b) ☐ an individual associated with the filing and prosecution of this application (37 C.F.R. section 1.56(c))

SIGNATURE OF INVENTOR

(type name of inventor who is signing)

- (c) ☒ the practitioner who signs below on the basis of the information:

(check each applicable item)

☐ supplied by the inventor(s).

☐ supplied by an individual associated with the filing and prosecution of this application. (37 C.F.R. section 1.56(c)).

☒ in the practitioner's file.



SIGNATURE OF PRACTITIONER

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